18th August 1925]

A.—(*a*) Yes.

(*b*) & (*d*) Singapur is the chief village of a subdivision of Jeypore which was granted by Raja Vikrama Deo II to a kinsman on service tenure. In 1864 the then Raja sued the grantee's son Krishna Deo for the possession of the property or an annual payment of Rs. 5,000. It was decreed that the Rs. 5,000 should be paid and this decree was upheld by the High Court and the Privy Council. After Krishna Deo's death, the Jeypore Maharaja brought a suit against Krishna Deo's widow for the possession of the property or the enhancement of the quit-rent; the suit was decided in the Maharaja's favour in the original court and in the High Court and the property was handed over to the Maharaja in 1892. Krishna Deo had an illegitimate son Gopinath Deo; Sundaranarayana Deo is the legitimate son of Gopinath Deo. The Maharaja appointed Gopinath Deo as a supervisor of the estate and at the time of his death the latter was in receipt of a salary of Rs. 250 a month as well as a "Bhallaloko" allowance. Although the estate has been in the possession of the Maharaja since 1892, Sundaranarayana Deo has now attempted to obtain possession of it by gathering followers among the Khonds and collected the rents.

(*c*) The arrests were made by the Agent to the Governor under the Ganjam and Vizagapatam Act, 1839.

(*e*) No.

(*f*) The Maharaja had complained to the Agent to the Governor regarding the actions of Sundaranarayana Deo and his brother.

Sriman SASIBHUSHAN RATH Mahasayo :—"Sir, I wish to ask the hon. the Law Member whether this is a dispute as to possession of property."

The hon. Sir C. P. RAMASWAMI AYYAR :—"Yes, which may lead to a breach of the peace."

Sriman SASIBHUSHAN RATH Mahasayo :—"In which case, will not the Government be better advised to ask the Maharaja to seek redress under section 145 of the Criminal Procedure Code?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"The Maharaja is presumably aware of the necessity, if a dispute really arises in regard to the possession of the estate, to do so."

Civil Justice.

Alleged grievances of Judicial copyists.

* 2 *Q.*—Rao Sahib P. V. GOPALAN : With reference to the answer to question No. 1439, dated 6th December 1924, regarding a memorial from the Civil Court copyists, will the hon. the Law Member be pleased to state—

(*a*) whether a copy of the memorial submitted by the Judicial copyists to the hon. the High Court of Judicature has since been received by him and the original by the Government from the High Court;

(*b*) if so, whether the Government will be pleased to lay it on the Council table; and

(*c*) what steps have been taken by the Government to remedy the grievances mentioned in the memorial?

A.—(*a*) & (*b*) A copy of the memorial has been received by the Government, but they have not received the original of the memorial said to have been sent through the High Court.

(*c*) The High Court which is primarily concerned with the question has not yet moved in the matter. The Government do not propose to take any action at present on the representations made.

The holding of the Subordinate Judge's Court at Mangalore.

* 3 *Q.*—Rao Sahib U. RAMA RAO: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the Sub-Judge of South Kanara, Mangalore, held court and dismissed suits for default on 20th April 1925, the date of the bye-election to the Madras Legislative Council, and after the court had closed for the summer vacation;

(*b*) whether the election day was not also a public holiday throughout the district; if the answer is in the affirmative whether the Sub-Judge was authorized to hold his court on that day;

(*c*) whether the Government generally approve of the holding of courts on the dates of election to the Legislative Councils;

(*d*) whether it is a fact that the Sub-Judge held his court in spite of representations made to him by prominent members of the Bar that they and their clients could not attend the court on that day as it was Council election day;

(*e*) whether judicial officers are permitted to hold courts after they are closed for summer vacation and even though vakils and parties are unwilling to attend them; and

(*f*) what the explanation of the Sub-Judge concerned is in regard to his action?

A.—The Government have no information. The litigants have the remedy of appeal if the Judge acted illegally.

Rao Sahib U. RAMA RAO:—"With reference to clause (*b*) of my question, viz., 'whether the election day was not also a public holiday throughout the district; if the answer is in the affirmative whether the Sub-Judge was authorized to hold his court on that day,' the answer is: 'The Government have no information.' Am I to understand that the Government have no information on that point?"

The hon. Sir C. P. RAMASWAMI AYYAR:—"The Government did not call for answers to these various questions inasmuch as, if the Subordinate Judge acted in the manner suggested, his judgment would be open to correction by an appellate tribunal."

Rao Sahib U. RAMA RAO:—"Then again, with reference to clause (*c*), viz., 'whether the Government generally approve of the holding of courts on the dates of election to the Legislative Councils,' am I to understand that the Government have ruled so?"